

AMENDED IN ASSEMBLY APRIL 26, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2294

Introduced by Assembly Members Block and Fletcher
(Coauthor: Senator Kehoe)

February 18, 2010

~~An act to amend Section 39000 of, to amend the heading of Division 16.7 (commencing with Section 39000) of, and to add Section 39002.1~~
An act to add Section 21206.5 to, the Vehicle Code, relating to pedicabs.

LEGISLATIVE COUNSEL'S DIGEST

AB 2294, as amended, Block. Pedicabs: licensing.

~~Existing law authorizes a city or county that adopts a bicycle licensing ordinance or resolution to prohibit the operation of a bicycle on any street, road, highway, or other public property within the jurisdiction of the city or county unless the bicycle is licensed in accordance with this specified provision regulates the operation of bicycles. Under existing law, local authorities may regulate, by ordinance, the registration of bicycles and the parking and operation of bicycles on pedestrian or bicycle facilities provided the regulation does not conflict with the Vehicle Code.~~

This bill would define the term “pedicab” and would authorize ~~a city or the County of San Diego or a city in the county~~ to adopt a pedicab licensing ordinance or resolution that includes, but *would not be* limited to, a requirement that the operator of the pedicab obtain a valid California driver’s license.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of San Diego.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21206.5 is added to the Vehicle Code, to
2 read:

3 21206.5. (a) For purposes of this section, “pedicab” means
4 either of the following:

5 (1) A bicycle that has three or more wheels, that transports, or
6 is capable of transporting, passengers on seats attached to the
7 bicycle, that is operated by a person, and that is used for
8 transporting passengers for hire.

9 (2) A bicycle that pulls a trailer, sidecar, or similar device, that
10 transports, or is capable of transporting, passengers on seats
11 attached to the trailer, sidecar, or similar device, that is operated
12 by a person, and that is used for transporting passengers for hire.

13 (b) The County of San Diego or a city within the county may
14 adopt a pedicab licensing ordinance or resolution that includes,
15 but is not limited to, a requirement that the operator of the pedicab
16 obtain a valid California driver’s license, so as to ensure that the
17 pedicab operator has demonstrated knowledge of the applicable
18 requirements of this code before being allowed to transport
19 passengers for hire.

20 SEC. 2. The Legislature finds and declares that a special law
21 is necessary and that a general law cannot be made applicable
22 within the meaning of Section 16 of Article IV of the California
23 Constitution because of the unique need to regulate the numerous
24 pedicabs operating in the County of San Diego, and to ensure the
25 safety of passengers and pedestrians.

26 ~~SECTION 1. The heading of Division 16.7 (commencing with~~
27 ~~Section 39000) of the Vehicle Code is amended to read:~~

28
29 DIVISION 16.7. REGISTRATION AND LICENSING OF
30 BICYCLES AND PEDICABS

31
32 ~~SEC. 2. Section 39000 of the Vehicle Code is amended to read:~~

33 ~~39000. For purposes of this division, the following terms have~~
34 ~~the following meanings:~~

1 (a) “Bicycle” means any device upon which a person may ride,
2 which is propelled by human power through a system of belts,
3 chains, or gears having either two or three wheels (one of which
4 is at least 20 inches in diameter) or having a frame size of at least
5 14 inches, or having four or more wheels.

6 (b) “Pedicab” means either of the following:

7 (1) A bicycle that has three or more wheels, that transports, or
8 is capable of transporting, passengers on seats attached to the
9 bicycle, that is operated by a person, and that is used for
10 transporting passengers for hire.

11 (2) A bicycle that pulls a trailer, sidecar, or similar device, that
12 transports, or is capable of transporting, passengers on seats
13 attached to the trailer, sidecar, or similar device, that is operated
14 by a person, and that is used for transporting passengers for hire.

15 SEC. 3. Section 39002.1 is added to the Vehicle Code, to read:

16 39002.1. A city or county may adopt a pedicab licensing
17 ordinance or resolution that includes, but is not limited to, a
18 requirement that the operator of the pedicab obtain a valid
19 California driver’s license, so as to ensure that the pedicab operator
20 has demonstrated knowledge of the applicable requirements of
21 this code before being allowed to transport passengers for hire.